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Docket No.: PF-0187-2 RCE

Response Under 37 C.F.R. 1.116 - Expedited Procedure

Examining Group 1644

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 28, 2003.

Printed: Katherine Stofer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Bandman et al.

Title: ANTIBODIES TO SUBUNITS OF NADH DEHYDROGENASE

Serial No.: 09/726,899

Filing Date: November 29, 2000

Examiner: Roark, J.

Group Art Unit: 1644

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated July 28, 2003, of the Examiner's rejection of Claim(s) 1-11.

Please charge the Appeal fee of \$320.00 required under 37 CFR 1.17(b) to Deposit Account No. **09-0108**. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. **09-0108**.

11/03/2003 BABRAHA1 00000009 090108 09726899

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Respectfully submitted,

INCYTE CORPORATION

Date: 28, October 2003

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